

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL
SOUTH ZONE CHENNAI BENCH
Original Application no. 82 of 2021(SZ)**

Dharmesh Shah, Chennai. ... Applicant(s)
Versus
Union of India and Ors. ...Respondent(s)

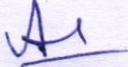
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Dated this the 3rd day of April 2021




ALEXANDER GEORGE
SENIOR ENVIRONMENTAL ENGINEER

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KERALA STATE POLLUTION CONTROL BOARD
കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram - 695 004
പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

PCB/HO/EE4/NGT/OA. No.82/2021-1

Dated: 22/03/2021

AUTHORISATION

Sub: OA. No.82/2021 before the Hon'ble NGT

Ref: Letter no. PCB/HO/EE4/NGT/OA. No.82/2021 dated 18/03/2021

In variation to the authorization issued vide reference, the Senior Environmental Engineer-3, Head Office is hereby authorized to represent the Board (12th respondent) in the above O.A.

**For and on behalf of the
KERALA STATE POLLUTION CONTROL BOARD**


MEMBER SECRETARY

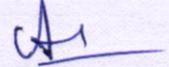
To

The Senior Environmental Engineer- 3
Head Office

Copy to:

1. Adv. Rema Smrithi V.K.
No.2, Temple Glade Apartments
Kalakshetra Colony
Beach Road
Besant Nagar
Chennai - 600090
2. The Senior Environmental Engineer- 1
Head Office
3. The Environmental Engineer
Legal Cell, Regional Office
Ernakulam




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**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL
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Application no. 82 of 2021 (SZ)

Dharmesh Shah, Chennai:

Applicant

Versus

Union of India and Ors:

Respondent(s)

**REPLY FILED BY 12TH RESPONDENT, KERALA STATE POLLUTION
CONTROL BOARD, HEAD OFFICE, THIRUVANANTHAPURAM,**

I, Alexander George, aged 52 years residing at Pathanamthitta, Kerala, Senior Environmental Engineer, Kerala State Pollution Control Board, Head Office, Thiruvananthapuram, do solemnly affirm and state as follows:

1. The Applicant has stated that many of the State Pollution Control Boards in the south of India have not complied with the direction given by the Hon'ble Supreme Court of India in Paryavaran Suraksha Samithi V Union of India, 2017(5)SCC 326. The Applicant is aggrieved with the non compliance of the said direction specifically relating to public access of the OCEMS and non availability of historical data on the portals of the State Pollution Control Boards. As far as specific grievance against the Kerala State Pollution Control Board is raised it only relates to non-availability of historical data and that certain OCEMS are shown as inactive as per para 10 (v) of the Original Application.
2. It is humbly submitted that the central server of the Online Continuous Emission Monitoring System (OCEMS) for the state of Kerala was made live in the year 2016. Thus provision for online, real time, continuous




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emission monitoring system has been implemented in Kerala in the year 2016 onwards and after the commencement of the OCEMS; the Board has taken all steps to bring all the major industrial units and Continuous Ambient Air Quality Monitoring System in OCEMS. Presently 43 sites are connected to the Online Continuous Emission Monitoring System. Of these 6 are Continuous Ambient Air Quality Monitoring System (CAAQMS) and the rest are industries. The list of industries and Continuous Ambient Air Quality Monitoring Systems connected to the OCEMS of this Board are attached as **Annexure R12 (1)**.

3. It is submitted that the industries connected to OCEMS include all the 17 category industries functioning in the state. Provision has been provided for the public to access the real time emission data through the site <https://keralapcb.glensserver.com/public> without any Register or login procedures. At present data for preceding 30 days can be accessed by the public. Historical data is available to the Board officials from the inception of the OCEMS itself. The link for this site is also provided in the official website of the Kerala State Pollution Control Board www.kspcb.nic.in.
4. It is submitted that the defect pointed out by the applicant in this OA about the OCEMS of Kerala State Pollution Control Board is only that the system does not provide historical data and that certain OCEMS are shown as inactive or offline and hence the applicant claims that it is only partial compliance. It is respectfully submitted that facilities are available to the Board officials for monitoring the historical data and it is helping the Board in keeping vigil on pollution from industries. The public can also access the system and can keep themselves informed of the present status of pollution levels for up to 30 days. The reason why certain OCEMS are shown as inactive or offline is due to the server problems in that respective industry. The Board constantly keeps watch on the data and if certain OCEMS displays inactive or offline, immediately the unit is informed of the matter and gets it rectified.
5. It is humbly submitted that as far as the Kerala State Pollution Control Board is concerned it has complied with OCEMS well before even the Supreme Court had given directions in 2017 judgment stated above. Hence, this Hon'ble Tribunal may kindly dismiss any charges that are raised against the KSPCB and thus render justice.




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All that stated above are true to the best of my knowledge information and belief.

Dated this the 3rd day of April 2021

SENIOR ENVIRONMENTAL ENGINEER

12th Respondent




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Solemnly affirmed and signed by the deponent who is known to me on this the 3rd day of April ,2021.

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ANNEXURE R-12(1)

SL NO.	Site Name	District	Industry
1	Kozhikode Diesel Power Project Kerala State Electricity Board Limited	Ernakulam	POWER PLANT
2	Brahmapuram Diesel Power Plant	Ernakulam	POWER PLANT
3	The Fertilisers And Chemicals Travancore Ltd (FACT) Udyogamandal Complex-Petrochemical Plants	Ernakulam	PETROCHEMICALS
4	KINFRA Techno Industrial Park	Malappuram	CETP
5	Rubber Park India Private Limited	Ernakulam	CETP
6	KSPCB ELOOR STATION	Ernakulam	PUBLIC LOCATION
7	Cochin Special Economic Zone Authority	Ernakulam	CBMWTF
8	The Kerala Minerals And Metals Ltd	Ernakulam	IRON AND STEEL
9	Hindustan Insecticides Limited	Ernakulam	PESTICIDE
10	NTPC Limited	Allapuzha	Power Plant
11	KINFRA SMALL INDUSTRIES PARK	Ernakulam	CETP
12	Kairali Steels And Alloys Private Limited	Palakkad	IRON AND STEEL
13	THE CANARA PAPER MILLS PVT. LTD	Kottayam	PULP AND PAPER
14	GREENLAND PAPER MILLS LTD	Ernakulam	PULP AND PAPER
15	Prodair Air Products India Pvt Ltd	Ernakulam	CHEMICAL
16	BPCL Kochi Refinery	Ernakulam	OIL REFINERY
17	The Travancore Cement Ltd	Kottayam	CEMENT
18	KINFRA Textile Centre	Kannur	Kannur
19	Adani Vizhinjam Port Private Limited	Thiruvananthapuram	PORT
20	TMS Leathers	Ernakulam	TANNERY
21	KSPCB TRIVANDRUM PLAMOOD STATION	Thiruvananthapuram	PUBLIC LOCATION
22	RPC Paper Mills	Ernakulam	PULP AND PAPER
23	P P S Steels Pvt Ltd	Palakkad	IRON AND STEEL
24	KSPCB CALICUT PALAYAM STATION	Ernakulam	PUBLIC LOCATION



AG
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25	Hindustan Newsprint Ltd	Kottayam	PULP AND PAPER
26	M/s Nitta Gelatin India Ltd	Ernakulam	DRUGS AND PHARMACEUTICALS
27	Gramox Paper and Boards Ltd	Ernakulam	PULP AND PAPER
28	Amrita Institute of Medical Sciences and Research Centre	Ernakulam	PUBLIC LOCATION
29	KSPCB ERNAKULAM VYTTILA STATION	Ernakulam	PUBLIC LOCATION
30	Kunnath Paper Mills Ltd	Palakkad	PULP AND PAPER
31	Travancore Cochin Chemicals Limited	Ernakulam	CHLOR ALKALI
32	Prince Rollings Private Limited	Palakkad	IRON AND STEEL
33	Hindustan Organic Chemicals Limited	Ernakulam	PETROCHEMICALS
34	Southern Ispat& Energy Ltd	Palakkad	IRON AND STEEL
35	Malabar Cements Ltd_CHERTHALA	Alapuzha	CEMENT
36	INDIAN NAVAL ACADEMY SEWAGE TREATMENT PLANT	Kannur	STP
37	Apollo Tyres Limited	Ernakulam	MANUFACTURING
38	KSPCB ERNAKULAM MG ROAD STATION	Ernakulam	PUBLIC LOCATION
39	The Fertilisers And Chemicals Travancore Ltd (FACT) Cochin Divison	Ernakulam	FERTILIZER
40	Cochin Cements Ltd	Kottayam	CEMENT
41	Malabar Cements Ltd	Palakkad	CEMENT
42	The Fertilisers And Chemicals Travancore Ltd (FACT) Udyogamandal Complex-Fertiliser Plants	Ernakulam	FERTILIZER
43	Indian Medical Association Goes Ecofriendly	Palakkad	CBMWTF




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